

C U M M I N G S & L O C K W O O D

Four Stamford Plaza  
P.O. Box 120  
Stamford, CT 06904-0120  
203-327-1700  
Fax 203-351-4535

Stamford  
Hartford  
Greenwich  
New Haven  
Naples  
Palm Beach  
Bonita Springs

May 9, 2001

R. Thomas Payne  
203-351-4192, Fax 203-708-3943  
[tpayne@cl-law.com](mailto:tpayne@cl-law.com)

VIA HAND-DELIVERY

URGENT

Mr. Mark Shub, Esq.  
Leontire & Shub  
66 Long Wharf  
Boston, MA 02110-3805

Re: U.S. Patent Application No. 09/445,843 entitled:  
**INTERNET CACHING SYSTEM**  
Inventor: Sverker Lindbo  
Filing Date: December 14, 1999  
Our Ref.: 639321.0004

Dear Mr. Shub:

We represent Mirror Image Internet Inc. in its United States patent matters. Mr. Sverker Lindbo is a named inventor on a Swedish patent application serial no. 9702795-7, now Swedish patent no. 9702795-7, for which a corresponding patent application has been filed in the United States Patent and Trademark Office, U.S. Patent Application No. 09/445,843 filed on December 14, 1999. Mr. Lindbo assigned the all the rights to the Swedish patent application and all corresponding applications abroad to Mirror Image Internet AB on September 24, 1997. (see Exhibit 2) Our client, Mirror Image Internet Inc. acquired all the rights to this Swedish patent application and the corresponding U.S. patent application from Mirror Image Internet AB through the Agreement on the Sale and Purchase of a Business Operation dated February 12, 1999.

Our firm previously contacted Mr. Lindbo last year to obtain Mr. Lindbo's signature on certain documents to complete the formal filing requirements in the United States Patent and Trademark Office and to perfect Mirror Image Internet Inc.'s rights to the US patent application. As you may recall, we received a letter from you dated March 22, 2000, indicating that Mr. Lindbo would not sign the documents without further information. We also received various email correspondence between Mr. Lindbo and our client in which Mr. Lindbo indicated his refusal to sign the documents.

Subsequently, our firm filed a petition in July 24 2000, with the United States Patent and Trademark Office under 37 CFR § 1.47, "Filing when an inventor refuses to sign or cannot be reached."

May 9, 2001

For your reference, enclosed herewith is an Exhibit Book containing the specification, English language Assignment, a Declaration, Power of Attorney and Petition, a Petition under 37 C.F.R. §1.47(b) and Decision on Petition that we filed with or received from the United States Patent and Trademark Office.

The United States Patent and Trademark Office denied the petition under 37 C.F.R. §1.47(b) in its Decision on Petition dated November 16, 2000. (see Exhibit 5) As you will note, the Examiner's reason for denying the petition was based upon the offer of Mr. Lindbo to execute the required Declaration, Power of Attorney and Petition upon execution of a suitable escrow agreement.

Since that time, our understanding is that Mr. Lindbo and our client have been in negotiations with each other. However, we also understand that the ongoing negotiations between Mr. Lindbo and our client recently reached a stalemate and that Mr. Lindbo will not execute any documents absent the immediate payment of funds by our client to satisfy alleged claims by Parfi AB unrelated to the intellectual property of our client.

Unfortunately, we have a non-extendable deadline of May 16, 2001 in which to file an executed Inventor's Declaration or the application will go abandoned. Thus, we are again requesting that Mr. Lindbo sign the attached Inventor's Declaration, Power of Attorney and Petition.

We realize that this request is made shortly before this non-extendable deadline, but we were previously informed that the parties were resolving their differences and expected to have a resolution well before this May 16, 2001 deadline.

Whether or not the parties have unresolved disputes over their rights, unless the attached Inventor's Declaration, Power of Attorney and Petition is properly executed by Mr. Lindbo and received by the United States Patent and Trademark Office on or before May 16, 2001, there will be no rights to determine.

Therefore, please have Mr. Lindbo execute the attached Declaration, Power of Attorney and Petition, then send a copy to us immediately by facsimile. Additionally, please provide us with the original by overnight courier. As noted above, it is critical that the filing formalities of the application be completed and filed with the United States Patent and Trademark Office by the non-extendible deadline of May 16 2001 otherwise the application will become abandoned.

Mr. Mark Shub, Esq.

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May 9, 2001

If you have any questions or require additional information, please do not hesitate to contact us. I have asked the law firm of Hale and Dorr LLP to hand deliver the enclosed materials to you on May 10, 2001.

Sincerely,

*Tom Payne /gc*  
R. Thomas Payne

Enclosures: Exhibit Book, Declaration

cc: Elise Busny w/ encls.;  
Timo Aittola w/o encls.

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